

ORDINANCE NO. 82-16

AN ORDINANCE TO AMEND A SPECIAL USE PERMIT GRANTED TO THE AVON LOCAL SCHOOL DISTRICT TO INCLUDE A NEW SCOREBOARD AT THE EARLY LEARNING CENTER LOCATED AT 3075 STONEY RIDGE ROAD AND DECLARING AN EMERGENCY

WHEREAS, the Avon Local School District currently operates the Avon Early Learning Center for Kindergarten and Pre-K students at 3075 Stoney Ridge Road, Avon, within an R-1 Residential District; and

WHEREAS, amendments to the Special Use Permit were granted January 12, 2004 (Ord. No. 3-04) for stadium improvements, November 28, 2005 (Ord. No. 181-05) for a recyclable materials container, October 10, 2006 (Ord. No. 116-06) to expand a parking lot, February 12, 2007 (Ord. No. 14-07) for stadium turf and track resurfacing, June 20, 2011 (Ord. No. 73-11) for additional bleachers, gazebo and storage shed, and on April 27, 2015 (Ord. No. 49-15) for construction of a new playground; and

WHEREAS, it is now necessary to amend said Special Use Permit to include the installation of a baseball scoreboard at the baseball field located on the Early Learning Center campus at 3075 Stoney Ridge Road; and

WHEREAS, the Planning Commission held a public hearing on June 15, 2016, and by a vote of Five (5) to Zero (0) , recommended amending the Special Use Permit; and

WHEREAS, Council, after reviewing the application, plans and specifications and the recommendation of the Planning Commission, deems it in the best interests of the health, safety and welfare of the community that the amendment to the Special Use Permit be granted.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
AVON, LORAIN COUNTY, OHIO:**

Section 1 - That Council hereby accepts the recommendation of the Planning Commission and pursuant to ACO §1280.04(s) amends the Special Use Permit for the Avon Local School District to install a new scoreboard at the baseball field located on the campus of the Early Learning Center for Kindergarten and Pre-K at 3075 Stoney Ridge Road in an R-1 Residential District as per the plans and specifications submitted and approved by the Planning Commission on June 15, 2016 and made a part of this Special Use Permit by reference.

Section 2 - *Conditions.* 1) That the Special Use Permit granted herein is conditioned upon applicant meeting all applicable requirements of the Avon Codified Ordinances, including, but not limited to, those set forth in 1280.02, 1280.03, 1280.04(r) and 1280.06(g). 2) Any expansion, development, enlargement, improvement, change in ownership, use or the like, other than maintenance of the property in its current condition, will require an additional amendment to this Special Use Permit, with a recommendation of Planning Commission and approval by Council.

Section 3 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such

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formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to amend the Special Use Permit for Avon Local School District to add a baseball scoreboard at the baseball field located at the Early Learning Center located at 3075 Stoney Ridge Road; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Craig L. Witherspoon, Council President

DATE APPROVED BY THE MAYOR _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara J. Brooks
Clerk of Council

POSTED: _____
In Five Places as
Provided by Council

Prepared by:
John A. Gasior, Esq.
Law Director